

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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|---------------------|---|----------------------------|
| GREGORY CUNNINGHAM, |) | Case No. 3:07cv1406 |
| |) | |
| Petitioner, |) | |
| |) | |
| vs. |) | JUDGE SOLOMON OLIVER |
| |) | (Magistrate Judge McHargh) |
| JESSE WILLIAMS, |) | |
| Warden, |) | |
| |) | |
| Respondent. |) | REPORT AND |
| |) | RECOMMENDATION |

McHargh, Mag.J.

The petitioner Gregory Cunningham, through counsel, has filed a request for leave to voluntarily dismiss his petition for a writ of habeas corpus. (Doc. 10.)

For the reasons outlined in Cunningham's request, the undersigned recommends that the petition be dismissed.

Dated: Oct. 9, 2007

/s/ Kenneth S. McHargh
Kenneth S. McHargh
United States Magistrate Judge

ANY OBJECTIONS to this Report and Recommendation must be filed with the Clerk of Courts within ten (10) days of receipt of this notice. Failure to file objections within the specified time WAIVES the right to appeal the District Court's order. See Thomas v. Arn, 474 U.S. 140 (1985); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).